

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

MARILYN RAE BASKIN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:14-cv-00355-RLY-TAB
	)	
PENNY BOGAN, in her official capacity as	)	
Boone County Clerk, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendants Greg Zoeller, William C. VanNess II, M.D., Penny Bogan, Karen Martin, Michael Brown, and Peggy Beaver respectfully request that this Court enter summary judgment against the Plaintiffs on all of their claims. In support of this motion, Defendants assert as follows:

There are no genuine issues of material fact that would preclude the entry of judgment as a matter of law in the Defendants' favor as to any of their claims. This motion is based on the Defendants' contemporaneously filed Combined Memorandum in Support of Their Motion for Summary Judgment and in Opposition to Plaintiffs' Motions for Preliminary Injunction and Motion for Summary Judgment.

Wherefore, Defendants respectfully request that this Court enter judgment against the Plaintiffs pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Respectfully submitted,

GREGORY F. ZOELLER  
Attorney General of Indiana

s/ Thomas M. Fisher

Thomas M. Fisher  
Solicitor General  
Office of the Attorney General  
302 W. Washington St., IGC-S, 5<sup>th</sup> Floor  
Indianapolis, IN 46204-2770  
Phone: (317) 232-6255  
Fax: (317) 232-7979  
Email: Tom.Fisher[atg.in.gov  
*Counsel for Greg Zoeller and William C.  
VanNess II, M.D.*

s/ Nancy Moore Tiller

Nancy Moore Tiller  
Nancy Moore Tiller & Associates  
11035 Broadway, Suite A  
Crown Point, IN 46307  
Tel: (219) 662-2300  
Fax: (219) 662-8739  
nmt@tillerlegal.com  
*Counsel for Michael A. Brown*

s/ Robert V. Clutter

Robert V. Clutter  
Kirtley, Taylor, Sims, Chadd & Minnette, P.C.  
117 W. Main Street  
Lebanon, IN 46052  
Tel: 765-483-8549  
Fax: 765-483-9521  
bclutter@kirtleytaylorlaw.com  
*Counsel for Penny Bogan*

s/ Elizabeth A. Knight

Elizabeth A. Knight  
Porter County Administrative Center  
155 Indiana Avenue, Ste. 205  
Valparaiso, IN 46383  
Tel: (219) 465-3329  
Fax: (219) 465-3362  
eknight@porterco.org  
*Counsel for Karen Martin*

s/ Darren J. Murphy

Darren J. Murphy  
Assistant Hamilton County Attorney  
694 Logan St.  
Noblesville, IN 46060  
Tel: (317) 773-4212  
Fax: (317) 776-2369  
dmurphy@ori.net  
*Counsel for Peggy Beaver*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Barbara J. Baird  
The Law Office Of Barbara J Baird  
[bjbaird@bjbairdlaw.com](mailto:bjbaird@bjbairdlaw.com)

Paul D. Castillo  
Camilla B. Taylor  
Christopher R. Clark  
Lambda Legal Defense & Education Fund, Inc.  
[pcastillo@lambdalegal.org](mailto:pcastillo@lambdalegal.org)  
[ctaylor@lambdalegal.org](mailto:ctaylor@lambdalegal.org)  
[ccclark@lambdalegal.org](mailto:ccclark@lambdalegal.org)

Robert V. Clutter  
Kirtley, Taylor, Sims, Chadd & Minnette, P.C.  
[bclutter@kirtleytaylorlaw.com](mailto:bclutter@kirtleytaylorlaw.com)

Darren J. Murphy  
Assistant Hamilton County Attorney  
[dmurphy@ori.net](mailto:dmurphy@ori.net)

Jordan Heinz  
Brent Phillip Ray  
Kirkland & Ellis LLP  
[jordan.heinz@kirkland.com](mailto:jordan.heinz@kirkland.com)  
[brent.ray@kirkland.com](mailto:brent.ray@kirkland.com)

Nancy Moore Tiller  
Nancy Moore Tiller & Associates  
[nmt@tillerlegal.com](mailto:nmt@tillerlegal.com)

Elizabeth A. Knight  
Porter County Administrative Center  
[eknight@porterco.org](mailto:eknight@porterco.org)

*s/Thomas M. Fisher*  
Thomas M. Fisher  
Solicitor General

Office of the Attorney General  
Indiana Government Center South 5<sup>th</sup> Floor  
302 W. Washington St.  
Indianapolis, IN 46204-2770  
Phone: (317) 232-6255  
Fax: (317) 232-7979  
Email: Tom.Fisher@atg.in.gov